

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

50325-0510

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Shahrokh SADJADI, entitled METHOD AND APPARATUS PROVIDING OPTIMISTIC LOCKING OF SHARED COMPUTER RESOURCES, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____

() A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification 36 Total Pages; (X) Drawing(s); 7 Total Sheets; (X) Cover Sheet 1 Page
 (X) Oath or Declaration: 2 Pages
 (X) A Newly Executed Combined Declaration and Power of Attorney:
 (X) Signed. () Unsigned. () Partially Signed.
 () A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
 () Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.
 () Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
 () Power of Attorney. (X) Return Receipt Postcard.
 () Associate Power of Attorney. (X) A Check in the amount of \$1390.00 for the Filing Fee.
 () Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
 (X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
 () A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
 () Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
 (X) Recordation of Assignment Cover Sheet and **executed Assignment**.
 () Other: _____

CLAIMS AS FILED

FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	18	0	\$18.00	\$ 0.00
Independent Claims	8	0	\$80.00	\$ 640.00
Multiple Dependent Claims (if applicable)				\$ 0.00
Assignment Recording Fee				\$ 40.00
Basic Filing Fee				\$ 710.00
			Total Filing Fee	\$ 1390.00

Charge \$ _____ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Christopher J. Palermo

Christopher J. Palermo,
Attorney of Record, Reg. No. 42,056

Date: February 8, 2001

Correspondence Address:

Hickman Palermo Truong & Becker, LLP
1600 Willow Street
San Jose, California 95125-5106
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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

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Date of Deposit: February 8, 2001

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U.S. PTO
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.
 Small Entity payments must be supported by a small entity statement,
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
 See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$ 1390.00)

Complete if Known

Application Number	NYA
Filing Date	February 8, 2001
First Named Inventor	Shahrokh SADJADI
Examiner Name	NYA
Group/Art Unit	NYA
Attorney Docket No.	50325-0510

METHOD OF PAYMENT (check one)

1. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number 50-1302

Deposit Account Name Hickman Palermo Truong & Becker, LLP

2. Payment Enclosed:

 Check Money Order Other
 FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee \$	Fee \$	Fee Description	Fee Paid
105	130	205	65	Surcharge – late filing fee or oath	
127	50	227	25	Surcharge – late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,210	241	605	Petition to revive – unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (1) (\$ 710.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
18	-20**= 0	x 18.00	= 0.00
8	- 3**= 0	x 80.00	= 640.00

Multiple Dependent

**or number previously paid, if greater; For Reissues, see below

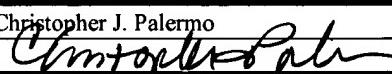
Large Entity Fee Code	Small Entity Fee Code	Fee \$	Fee Description
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim, if not paid
109	80	209	40 **Reissue independent claims over original patent
110	18	210	9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 640.00)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Christopher J. Palermo	Registration No. (Attorney/Agent)	42,056	Telephone	(408) 414-1080
Signature				Date	February 8, 2001

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Shahrokh SADJADI

Title METHOD AND APPARATUS PROVIDING OPTIMISTIC
LOCKING OF SHARED COMPUTER RESOURCES

Atty. Docket Number 50325-0510

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2/8/2001

Date

CHRISTOPHER J. PALERMO
Attorney of Record
Registration No. 42,056

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**